

House Bill 1579 (AS PASSED HOUSE AND SENATE)

By: Representative Buckner of the 137th

A BILL TO BE ENTITLED
AN ACT

1 To provide a new charter for the City of Woodland; to provide for incorporation, boundaries,
2 and powers of the city; to provide for the exercise of powers and limitations on powers; to
3 provide for a governing authority of such city and the powers, duties, authority, prohibitions,
4 election, terms, removal from office, method of filling vacancies, compensation, expenses,
5 and qualifications; to provide for conflict of interest and holding other offices; to provide for
6 inquiries and investigations; to provide for eminent domain; to provide for organization and
7 meeting procedures; to provide for rules of procedure; to provide for quorums; to provide for
8 ordinances; to provide for emergencies; to provide for codes of technical regulations; to
9 provide for recordation, authentication, and codification of ordinances; to provide for the
10 office of mayor and certain duties and powers relative to the office of mayor; to provide for
11 a veto; to provide for a mayor pro tempore; to provide for mayoral term limits; to provide for
12 administrative responsibilities; to provide for department heads; to provide for boards,
13 commissions, and authorities; to provide for a city attorney and city clerk; to provide for
14 personnel administration and policies; to provide for the establishment of a municipal court
15 and the judge or judges thereof; to provide for practices and procedures; to provide for
16 taxation, permits, and fees; to provide for franchises, service charges, and assessments; to
17 provide for bonded and other indebtedness; to provide for accounting and budgeting; to
18 provide for capital improvements; to provide for contracting and purchasing; to provide for

H. B. 1579

- 1 -

19 sale of city property; to provide for bonds for officials; to provide for prior ordinances;
20 provide for existing personnel and officers; to provide for pending matters; to provide for
21 definitions and construction; to provide for severability; to provide for related matters; to
22 provide for an effective date; to repeal a specific Act; to repeal conflicting laws; and for other
23 purposes.

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

25 ARTICLE I.
26 INCORPORATION AND POWERS

27 Section 1.10.
28 Incorporation.

29 The City of Woodland in Talbot County is reincorporated by the enactment of this charter
30 and is constituted and declared a municipality and body politic and corporate under the name
31 of the "City of Woodland." References in the charter to "the city" or "this city" refer to the
32 City of Woodland. The city shall have perpetual existence.

33 Section 1.11.
34 Corporate boundaries.

35 (a) The boundaries of this city shall be those existing on the effective date of the adoption
36 of this charter with such alterations as may be made from time to time by local law or in the
37 manner provided by general state law. The boundaries of this city at all times shall be shown
38 on a map, a written description, or any combination thereof, to be retained permanently in
39 the office of the city clerk and to be designated, as the case may be: "Official Map or

40 Description of the Corporate Limits of the City of Woodland, Georgia." Photographic, typed,
41 or other copies of such map or description certified by the mayor shall be admitted as
42 evidence in all courts and shall have the same force and effect as the original map or
43 description.

44 (b) The city council may provide for the redrawing of any such map by ordinance to reflect
45 lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes
46 the entire map or maps which it is designated to replace.

47 Section 1.12.

48 Municipal powers.

49 (a) This city shall have all powers possible for a municipality to have under the present or
50 future Constitution and laws of this state as fully and completely as though they were
51 specifically enumerated in this charter. This city shall have all the powers of
52 self-government not otherwise prohibited by this charter or by general law.

53 (b) The powers of this city shall be construed liberally in favor of the city. The specific
54 mention or failure to mention particular powers shall not be construed as limiting in any way
55 the powers of this city. Said powers shall include, but are not limited to, the following:

56 (1) Animal regulations. To regulate and license or to prohibit the keeping or running at
57 large of animals and fowl and to provide for the impoundment of same if in violation of
58 any ordinance or lawful order; to provide for the disposition by sale, gift, or humane
59 destruction of animals and fowl when not redeemed as provided by ordinance; and to
60 provide punishment for violation of ordinances enacted under this charter;

61 (2) Appropriations and expenditures. To make appropriations for the support of the
62 government of the city; to authorize the expenditure of money for any purposes
63 authorized by this charter and for any purpose for which a municipality is authorized by
64 the laws of the State of Georgia; and to provide for the payment of expenses of this city;

65 (3) Building regulations. To regulate and to license the erection and construction of
66 buildings and all other structures not inconsistent with general law; to adopt building,
67 housing, plumbing, electrical, gas, and heating and air-conditioning codes; and to regulate
68 all housing and building trades except as otherwise prohibited by general law;

69 (4) Business regulation and taxation. To levy and to provide for the collection of license
70 fees and taxes on privileges, occupations, trades, and professions; to license and regulate
71 the same; to provide for the manner and method of payment of such licenses and taxes;
72 to provide for the due dates therefor and to provide for reasonable penalties and interest
73 in the event of failure to pay the same; and to revoke such licenses after due process for
74 the failure to pay any city taxes or fees;

75 (5) Condemnation. To exercise the power of eminent domain to condemn property,
76 inside or outside the corporate limits of the city, for present or future use and for any
77 lawful purpose deemed necessary by the governing authority, utilizing procedures
78 enumerated in Title 22 of the O.C.G.A. or such other applicable laws as are or may
79 hereafter be enacted;

80 (6) Contracts. To enter into contracts and agreements with other governments and
81 entities and with private persons, firms, and corporations;

82 (7) Emergencies. To establish procedures for determining and proclaiming that an
83 emergency situation exists inside or outside the city and to make and carry out all
84 reasonable provisions deemed necessary to deal with or meet such an emergency for the
85 protection, safety, health, or well-being of the citizens of the city;

86 (8) Environmental protection. To protect the natural resources, environment, and vital
87 areas of the state through the preservation and improvement of air quality, the restoration
88 and maintenance of water resources, the control of erosion and sedimentation, the
89 management of solid and hazardous waste, and other necessary actions for the protection
90 of the environment or to comply with mandates enacted by the State of Georgia or any
91 other governmental agency or authority;

92 (9) Fire regulations. To fix and establish fire limits and from time to time extend,
93 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
94 general law, relating to both fire prevention and detection and to firefighting; and to
95 prescribe penalties and punishment for violations thereof;

96 (10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection
97 and disposal and other sanitary service charge, tax, or fee for such services as may be
98 necessary in the operation of the city from all individuals, firms, and corporations
99 residing in or doing business within the city and benefiting from such services; to enforce
100 the payment of such charges, taxes, or fees; and to provide for the manner and method
101 of collecting such service charges;

102 (11) General health, safety, and welfare. To define, regulate, and prohibit any act,
103 practice, conduct, or use of property which is detrimental to the health, sanitation,
104 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the
105 enforcement of such standards;

106 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
107 any purpose related to the powers and duties of the city and the general welfare of its
108 citizens, on such terms and conditions as the donor or grantor may impose;

109 (13) Health and sanitation. To prescribe standards of health and sanitation within the
110 city and to provide for the enforcement of such standards;

111 (14) Jail sentences. To provide that persons given jail sentences in the municipal court
112 may work out such sentences in any public works or on the streets, roads, drains, and
113 squares in the city; to provide for the commitment of such persons to any jail; or to
114 provide for the commitment of such persons to any county work camp or county jail;

115 (15) Motor vehicles. To regulate the operation of motor vehicles and exercise control
116 over all traffic, including parking, upon or across the streets, roads, alleys, and walkways
117 of the city;

118 (16) Municipal agencies and delegation of power. To create, alter, or abolish
119 departments, boards, offices, commissions, and agencies of the city and to confer upon
120 such agencies the necessary and appropriate authority for carrying out all the powers
121 conferred upon or delegated to the same;

122 (17) Municipal debts. To appropriate and borrow money for the payment of debts of the
123 city and to issue bonds for the purpose of raising revenue to carry out any project,
124 program, or venture authorized by this charter or the laws of the State of Georgia;

125 (18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
126 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
127 outside the corporate limits of the city;

128 (19) Municipal property protection. To provide for the preservation and protection of
129 property and equipment of the city and the administration and use of same by the public
130 and to prescribe penalties and punishment for violations thereof;

131 (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
132 of public utilities, including, but not limited to, a system of waterworks, sewers and
133 drains, sewage disposal, gas works, electric plants, transportation facilities, public
134 airports, and any other public utility; to fix the taxes, charges, rates, fares, fees,
135 assessments, regulations, and penalties therefor; to provide for the withdrawal of service
136 for refusal or failure to pay the same; to authorize the extension of water, sewerage, and
137 electrical distribution systems, and all necessary appurtenances by which said utilities are
138 distributed, inside and outside the corporate limits of the city; and to provide utility
139 services to persons, firms, and corporations inside and outside the corporate limits of the
140 city as provided by ordinance;

141 (21) Nuisances. To define a nuisance and provide for its abatement whether on public
142 or private property;

143 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
144 the authority of this charter and the laws of the State of Georgia;

- 145 (23) Planning and zoning. To provide comprehensive city planning for development by
146 zoning and to provide subdivision regulation and the like as the city council deems
147 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;
- 148 (24) Police and fire protection. To exercise the power of arrest through duly appointed
149 police officers and to establish, operate, or contract for police and a firefighting agency;
- 150 (25) Public hazards; removal. To provide for the destruction and removal of any
151 building or other structure which is or may become dangerous or detrimental to the
152 public;
- 153 (26) Public improvements. To provide for the acquisition, construction, building,
154 operation, and maintenance of public ways, parks, playgrounds, recreational facilities,
155 golf courses, amphitheaters, cemeteries, markets and market houses, public buildings,
156 libraries, public housing, airports, hospitals, terminals, docks, and parking facilities or
157 charitable, cultural, educational, recreational, conservation, sport, curative, corrective,
158 detentional, penal, and medical institutions, agencies and facilities; to provide for other
159 public improvements inside or outside the corporate limits of the city; to regulate the use
160 of public improvements; and, for such purposes, property may be acquired by
161 condemnation under Title 22 of the O.C.G.A. or such other applicable laws as are or may
162 hereafter be enacted;
- 163 (27) Public peace. To provide for the prevention and punishment of drunkenness, riots,
164 and public disturbances;
- 165 (28) Public transportation. To organize and operate or contract for such public
166 transportation systems as are deemed beneficial or necessary;
- 167 (29) Public utilities and services. To grant franchises or make contracts for public
168 utilities and public services and to prescribe the rates, fares, regulations, and standards
169 and conditions of service applicable to the utility or service to be provided by the
170 franchise grantee or contractor, insofar as not in conflict with valid regulations of the
171 Georgia Public Service Commission;

172 (30) Regulation of roadside areas. To prohibit or regulate and control the erection,
173 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
174 and all other structures or obstructions upon or adjacent to the rights of way of streets and
175 roads or within view thereof, inside or abutting the corporate limits of the city, and to
176 prescribe penalties and punishment for violation of such ordinances;

177 (31) Retirement. To provide and maintain a retirement plan for officers and employees
178 of the city;

179 (32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade
180 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees or otherwise
181 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
182 walkways within the corporate limits of the city; to negotiate and execute leases over,
183 through, under, or across any city property or the right of way of any street, road, alley,
184 and walkway or portion thereof within the corporate limits of the city for bridges,
185 passageways, or any other purpose or use between buildings on opposite sides of the
186 street and for other bridges, overpasses, and underpasses for private use at such location
187 and to charge a rental therefor in such manner as may be provided by ordinance; to
188 authorize and control the construction of bridges, passageways, overpasses, and
189 underpasses within the corporate limits of the city; to grant franchises and rights of way
190 throughout the streets and roads and over the bridges and viaducts for the use of public
191 utilities and for private use; and to require real estate owners to repair and maintain in a
192 safe condition the sidewalks adjoining their lots or lands and to impose penalties for
193 failure to do so;

194 (33) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
195 construction, equipping, operating, maintaining, and extending of a sewage disposal plant
196 and sewerage system; to levy on those to whom sewers and sewerage systems are made
197 available a sewer service fee, charge, or tax for the availability or use of the sewers,
198 except that no fee or charge for sewers shall be assessed against any abutting real estate

199 which cannot be served by such sewers; to provide for the manner and method of
200 collecting such service charge; and to impose and collect a sewer connection fee or fees
201 to those connected with the system;

202 (34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
203 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
204 others and to provide for the separate holding of glass, tin, aluminum, cardboard, paper,
205 and other recyclable materials and provide for the sale of such items;

206 (35) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops;
207 to regulate or prohibit the manufacture, sale, or transportation of intoxicating liquors; and
208 to regulate or prohibit the use of firearms; to regulate the transportation, storage, and use
209 of combustible, explosive, and inflammable materials, the use of lighting and heating
210 equipment, and any other business or situation which may be dangerous to persons or
211 property; to regulate and control peddlers and itinerant traders, theatrical performances,
212 exhibitions, and shows of any kind, by taxing or otherwise; and to license, tax, regulate,
213 or prohibit professional fortunetelling, palmistry, adult bookstores, massage parlors, and
214 entertainment displaying nudity;

215 (36) Special assessments. To levy and provide for the collection of special assessments
216 to cover the costs of any public improvement;

217 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
218 and collection of taxes on all property subject to taxation;

219 (38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the
220 future by law;

221 (39) Taxicabs or similar conveyances. To regulate and license vehicles operated for hire
222 in the city; to limit the number of such vehicles; to require the operators thereof to be
223 licensed; to require public liability insurance on such vehicles in the amounts to be
224 prescribed by ordinance; and to regulate the parking of such vehicles;

225 (40) Urban redevelopment. To organize and operate an urban redevelopment program;
226 and

227 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
228 and immunities necessary or desirable to promote or protect the safety, health, peace,
229 security, good order, comfort, convenience, or general welfare of the city and its
230 inhabitants; to exercise all implied powers necessary to carry into execution all powers
231 granted in this charter as fully and completely as if such powers were fully stated in this
232 charter; and to exercise all powers now or in the future authorized to be exercised by
233 other municipal governments under other laws of the State of Georgia; and no listing of
234 particular powers in this charter shall be held to be exclusive of others, nor restrictive of
235 general words and phrases granting powers, but shall be held to be in addition to such
236 powers unless expressly prohibited to municipalities under the Constitution or applicable
237 laws of the State of Georgia.

238 (c) Exercise of powers. All powers, functions, rights, privileges, and immunities of the city,
239 its officers, agencies, or employees shall be carried into execution as provided by this charter.
240 If this charter makes no provision, such shall be carried into execution as provided by
241 ordinance or as provided by pertinent laws of the State of Georgia.

242 ARTICLE II.

243 GOVERNMENT STRUCTURE, ELECTIONS, AND REMOVAL

244 Section 2.10.

245 City council creation; composition; number; election.

246 (a) The governing authority of this city, except as otherwise specifically provided in this
247 charter, shall be vested in a city council to be composed of a mayor and five
248 councilmembers.

249 (b) The city council established shall in all respects be a successor to and a continuation of
250 the governing authority under prior law. The mayor and councilmembers shall be elected
251 in the manner provided by general law and this charter.

252 (c) Councilmembers shall be elected by the voters of the city at large in accordance with
253 provisions of Article V. The mayor shall be elected as provided in Section 2.27.

254 Section 2.11.

255 Mayor and city council terms and qualifications for office.

256 The mayor and councilmembers shall serve for terms of four years and until their respective
257 successors are elected and qualified. No person shall be eligible to serve as mayor or
258 councilmember unless that person has been a resident of the State of Georgia and City of
259 Woodland for at least 12 months prior to the date of election of mayor or councilmembers;
260 each shall continue to reside therein during that mayor's or member's period of service and
261 shall be registered and qualified to vote in municipal elections of this city.

262 Section 2.12.

263 Vacancies in office.

264 (a) The office of mayor or councilmember shall become vacant upon the incumbent's death,
265 resignation, forfeiture of office, or occurrence of any event specified by the Constitution of
266 the State of Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may
267 hereafter be enacted.

268 (b) The office of the mayor or councilmember shall be deemed to become vacant when the
269 mayor or any councilmember shall have been absent for three consecutive regular meetings
270 or six regular meetings in one calendar year, and the council shall then pass a resolution at
271 a regular monthly meeting declaring said vacancy.

272 (c) A vacancy in the office of a councilmember shall be filled for the remainder of the
273 unexpired term, if any, by appointment by the mayor if less than 12 months remains in the
274 unexpired term. If such vacancy occurs 12 months or more prior to the expiration of the term
275 of that office, such office shall be filled for the remainder of the unexpired term by a special
276 election, as provided for in Section 5.14 and in accordance with Titles 21 and 45 of the
277 O.C.G.A., or other such laws as are or may hereafter be enacted.

278 (d) This provision shall also apply to any temporary vacancy created by the suspension from
279 office of the mayor or any councilmember.

280 Section 2.13.

281 Compensation and expenses.

282 The mayor and councilmembers shall receive compensation and expenses for their services
283 as provided by ordinance and in accordance with the laws of the State of Georgia.

284 Section 2.14.

285 Holding other office; voting when financially interested.

286 (a) Elected and appointed officers of the city are trustees and servants of the residents of the
287 city and shall act in a fiduciary capacity for the benefit of such residents.

288 (b) Except as authorized by law, the mayor or any councilmember shall not hold any other
289 city office or city employment during the term for which that person was elected.

290 (c) Neither the mayor nor any councilmember shall vote upon, sign, or veto any ordinance,
291 resolution, contract, or other matter in which that person is financially interested.

292 Section 2.15.
293 Inquiries and investigations.

294 Following the adoption of an authorizing resolution, the city council may make inquiries and
295 investigations into the affairs of the city and the conduct of any department, office, or agency
296 thereof, and for this purpose may subpoena witnesses, administer oaths, take testimony, and
297 require the production of evidence. Any person who fails or refuses to obey a lawful order
298 issued in the exercise of these powers by the city council shall be punished as provided by
299 ordinance.

300 Section 2.16.
301 General power and authority of the city council.

302 (a) Except as otherwise provided by law or this charter, the city council shall be vested with
303 all the powers of government of this city.

304 (b) In addition to all other powers conferred upon it by law, the council shall have the
305 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
306 regulations, not inconsistent with this charter and the Constitution and the laws of the State
307 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
308 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
309 and well-being of the inhabitants of the City of Woodland and may enforce such ordinances
310 by imposing penalties for violation thereof.

311 Section 2.17.

312 Eminent domain.

313 The city council is empowered to acquire, construct, operate, and maintain public ways,
314 parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,
315 sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports,
316 hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional,
317 penal and medical institutions, agencies and facilities, and any other public improvements
318 inside or outside the city, and to regulate the use thereof, and for such purposes, property
319 may be condemned under procedures established under general law applicable now or as
320 provided in the future.

321 Section 2.18.

322 Organizational meeting.

323 The city council shall hold an organizational meeting no later than December 31 of each
324 year. Such meeting shall be called to order by the mayor and the oath of office shall be
325 administered to the newly elected members by the city clerk or a judicial officer authorized
326 to administer oaths and shall, to the extent that it comports with federal and state law, read
327 as follows:

328 "I do solemnly swear or affirm that I will faithfully perform the duties of
329 (mayor)(councilmember) of this city and that I will support and defend the charter thereof
330 as well as the constitutions and laws of the State of Georgia and of the United States of
331 America."

332 Section 2.19.
333 Regular and special meetings.

334 (a) The city council shall hold regular meetings at such times and places as shall be
335 prescribed by ordinance.

336 (b) Special meetings of the city council may be held on call of the mayor. Notice of such
337 special meetings shall be served on all other members personally, or by telephone personally,
338 at least 48 hours in advance of the meeting. Such notice to councilmembers shall not be
339 required if the mayor and all councilmembers are present when the special meeting is called.
340 Such notice of any special meeting may be waived by a councilmember in writing before or
341 after such a meeting, and attendance at such meeting shall also constitute a waiver of notice
342 on any business transacted in such councilmember's presence. Only the business stated in the
343 call may be transacted at the special meeting.

344 (c) All meetings of the city council shall be public to the extent required by law and notice
345 to the public of special meetings shall be made fully as is reasonably possible as provided by
346 Code Section 50-14-1 of the O.C.G.A., or other such applicable laws as are or may hereafter
347 be enacted.

348 Section 2.20.
349 Rules of procedure.

350 (a) The city council shall adopt its rules of procedure and order of business consistent with
351 the provisions of this charter and shall provide for keeping a journal of its proceedings, which
352 shall be a public record.

353 (b) All committees and committee chairpersons and officers of the city council shall be
354 appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have
355 the power to appoint new members to any committee at any time.

356 Section 2.21.

357 Quorum, voting.

358 The mayor and three councilmembers, or the mayor pro tem and three councilmembers
359 without the mayor, shall constitute a quorum and shall be authorized to transact business of
360 the city council. Voting on the adoption of ordinances shall be by voice vote and the vote
361 shall be recorded in the journal, but any member of the city council shall have the right to
362 request a roll call vote and such vote shall be recorded in the journal. Except as otherwise
363 provided in this charter, the affirmative vote of three councilmembers shall be required for
364 the adoption of any ordinance, resolution, or motion.

365 Section 2.22.

366 Ordinance form; procedures.

367 (a) Every proposed ordinance should be introduced in writing and in the form required for
368 final adoption. No ordinance shall contain a subject which is not expressed in its title. The
369 enacting clause shall be "It is hereby ordained by the governing authority of the City of
370 Woodland" and every ordinance shall so begin.

371 (b) An ordinance may be introduced by the mayor or any councilmember and shall be read
372 at a regular or special meeting of the city council. Ordinances shall be considered and
373 adopted or rejected by the city council in accordance with the rules which it shall establish;
374 provided, however, that an ordinance shall not be adopted the same day it is introduced,
375 except for emergency ordinances as provided for in Section 2.24. Upon introduction of any
376 ordinance, the clerk shall as soon as possible distribute a copy to the mayor and to each
377 councilmember and shall file a reasonable number of copies in the office of the clerk and at
378 such other public places as the city council may designate.

379 Section 2.23.
380 Action requiring an ordinance.

381 Acts of the city council which have the force and effect of law shall be enacted by ordinance.

382 Section 2.24.
383 Emergencies.

384 (a) To meet a public emergency affecting life, health, property, or public peace, the city
385 council may convene on call of the mayor or four councilmembers and promptly adopt an
386 emergency ordinance, but such ordinance shall not levy taxes; grant, renew, or extend a
387 franchise; regulate the rate charged by any public utility for its services; or authorize the
388 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance
389 shall be introduced in the form prescribed for ordinances generally, except that it shall be
390 plainly designated as an emergency ordinance and shall contain, after the enacting clause,
391 a declaration stating that an emergency exists, and describing the emergency in clear and
392 specific terms. An emergency ordinance may be adopted, with or without amendment, or
393 rejected at the meeting at which it is introduced, but the affirmative vote of at least three
394 councilmembers shall be required for adoption. It shall become effective upon adoption or
395 at such later time as it may specify. Every emergency ordinance shall automatically stand
396 repealed 30 days following the date upon which it was adopted, but this shall not prevent
397 reenactment of the ordinance in the manner specified in this section if the emergency still
398 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance
399 in the same manner specified in this section for adoption of emergency ordinances.

400 (b) Such meetings shall be open to the public to the extent required by law and notice to the
401 public of emergency meetings shall be made as fully as is reasonably possible in accordance

402 with Code Section 50-14-1 of the O.C.G.A., or such other applicable laws as are or may
403 hereafter be enacted.

404 Section 2.25.

405 Codes of technical regulations.

406 (a) The city council may adopt any standard code of technical regulations by reference
407 thereto in an adopting ordinance. The procedure and requirements governing such adopting
408 ordinance shall be as prescribed for ordinances generally except that:

409 (1) The requirements of subsection (b) of Section 2.22 for distribution and filing of
410 copies of the ordinance shall be construed to include copies of any code of technical
411 regulations, as well as the adopting ordinance; and

412 (2) A copy of each adopted code of technical regulations, as well as the adopting
413 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.26.

414 (b) Copies of any adopted code of technical regulations shall be made available by the city
415 clerk for inspection by the public.

416 Section 2.26.

417 Signing; authenticating; recording; codification; printing.

418 (a) The city clerk shall authenticate by the clerk's signature and record in full in a properly
419 indexed book kept for that purpose, all ordinances adopted by the council.

420 (b) The city council shall provide for the preparation of a general codification of all the
421 ordinances of the city having the force and effect of law. The general codification shall be
422 adopted by the city council by ordinance and shall be published promptly, together with all
423 amendments thereto and such codes of technical regulations and other rules and regulations
424 as the city council may specify. This compilation shall be known and shall be cited officially

425 as "The Code of the City of Woodland, Georgia." Copies of the code shall be furnished to
426 all officers, departments, and agencies of the city, and made available for purchase by the
427 public at a reasonable price as fixed by the city council.

428 (c) The city council shall cause each ordinance and each amendment to this charter to be
429 printed promptly following its adoption, and the printed ordinances and charter amendments
430 shall be made available for purchase by the public at reasonable prices to be fixed by the city
431 council. Following publication of the first code under this charter and at all times thereafter,
432 the ordinances and charter amendments shall be printed in substantially the same style as the
433 code currently in effect and shall be suitable in form for incorporation therein. The city
434 council shall make such further arrangements as deemed desirable with reproduction and
435 distribution of any current changes in or additions to codes of technical regulations and other
436 rules and regulations included in the code.

437 Section 2.27.

438 Selection of mayor and mayor pro tempore.

439 (a) At every other regular election the voters of the city shall elect a mayor at large for a
440 term of four years. The mayor shall be a qualified elector of this city and shall have been a
441 resident of the State of Georgia and the City of Woodland for at least 12 months prior to the
442 election. The mayor shall continue to reside in the city during the period of service. The
443 mayor shall forfeit the office on the same grounds and under the same procedure as for
444 councilmembers. The compensation of the mayor shall be established in the same manner
445 as for councilmembers.

446 (b) By a majority vote, the city council shall elect a councilmember to serve as mayor pro
447 tem. The mayor pro tem shall assume the duties and powers of the mayor during the mayor's
448 physical or mental disability or absence. Any such disability or absence shall be declared by
449 a majority vote of the city council. The mayor pro tem shall sign all contracts and ordinances

450 in which the mayor has a disqualifying financial interest as provided in Section 2.14. The
451 term of office for the mayor pro tem shall be four years.

452 Section 2.28.

453 Powers and duties of mayor.

454 The mayor shall:

455 (1) Preside at all meetings of the city council;

456 (2) Be the head of the city for the purpose of service of process and for ceremonial
457 purposes, and shall be the official spokesperson for the city and the chief advocate of
458 policy;

459 (3) Have power to administer oaths and to take affidavits;

460 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
461 ordinances, and other instruments executed by the city which by law are required to be
462 in writing;

463 (5) Vote on matters before the city council as provided in this charter; and

464 (6) Fulfill such other executive and administrative duties as the city council shall
465 authorize by ordinance.

466 Section 2.29.

467 Conflicts of interest; holding other offices.

468 (a) Elected and appointed officers of the city are trustees and servants of the residents of the
469 city and shall act in a fiduciary capacity for the benefit of such residents.

470 (b) Conflict of Interest - No elected official, appointed officer, or employee of the city or any
471 agency or political entity to which this charter applies shall knowingly:

- 472 (1) Engage in any business or transaction, or have a financial or other personal interest,
473 direct or indirect, which is incompatible with the proper discharge of that person's official
474 duties or which would tend to impair the independence of the official's judgment or action
475 in the performance of those official duties;
- 476 (2) Engage in or accept private employment, or render services for private interests when
477 such employment or service is incompatible with the proper discharge of that person's
478 official duties or would tend to impair the independence of the official's judgment or
479 action in the performance of those official duties;
- 480 (3) Disclose confidential information, including information obtained at meetings which
481 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,
482 government, or affairs of the governmental body by which the official is engaged without
483 proper legal authorization; or use such information to advance the financial or other
484 private interest of the official or others;
- 485 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,
486 from any person, firm or corporation which to the official's knowledge is interested,
487 directly or indirectly, in any manner whatsoever, in business dealings with the
488 governmental body by which the official is engaged; provided, however, that an elected
489 official who is a candidate for public office may accept campaign contributions and
490 services in connection with any such campaign;
- 491 (5) Represent other private interests in any action or proceeding against this city or any
492 portion of its government; or
- 493 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
494 any business or entity in which the official has financial interest.
- 495 (c) Disclosure- Any elected official, appointed officer, or employee who shall have any
496 financial interest, directly or indirectly, in any contract or matter pending before or within
497 any department of the city shall disclose such interest to the city council. The mayor or any
498 councilmember who has a financial interest in any matter pending before the city council

499 shall disclose such interest and such disclosure shall be entered on the records of the city
500 council, and that official shall disqualify himself or herself from participating in any decision
501 or vote relating thereto. Any elected official, appointed officer, or employee of any agency
502 or political entity to which this charter applies who shall have any financial interest, directly
503 or indirectly, in any contract or matter pending before or within such entity shall disclose
504 such interest to the governing body of such agency or entity.

505 (d) Use of Public Property - No elected official, appointed officer, or employee of the city
506 or any agency or entity to which this charter applies shall use property owned by such
507 governmental entity for personal benefit, convenience, or profit except in accordance with
508 policies promulgated by the city council or the governing body of such agency or entity.

509 (e) Contracts Voidable and Rescindable - Any violation of this section which occurs with
510 the knowledge, express or implied, of a party to a contract or sale shall render said contract
511 or sale voidable at the option of the city council.

512 (f) Ineligibility of Elected Official - Except where authorized by law, neither the mayor nor
513 any councilmember shall hold any other elective or compensated appointive office in the city
514 or otherwise be employed by said government or any agency thereof during the term for
515 which that official was elected. No former mayor and no former councilmember shall hold
516 any compensated appointive office in the city until one year after the expiration of the term
517 for which that official was elected.

518 (g) Political Activities of Certain Officers and Employees - No appointive officer of the city
519 shall continue in such employment upon qualifying as a candidate for nomination or election
520 to any public office. No employee of the city shall continue in such employment upon
521 election to any public office in this city or any other public office which is inconsistent,
522 incompatible or in conflict with the duties of the city employee. Such determination shall
523 be made by the mayor and council either immediately upon election or at any time such
524 conflict may arise.

525 (h) Penalties for Violation

526 (1) Any city officer or employee who knowingly conceals such financial interest or
527 knowingly violates any of the requirements of this section shall be guilty of malfeasance
528 in office or position and shall be deemed to have forfeited that person's office or position.

529 (2) Any officer or employee of the city who shall forfeit an office or position as
530 described in paragraph (1) above shall be ineligible for appointment or election to or
531 employment in a position in the city government for a period of three years thereafter.

532 ARTICLE III.

533 ADMINISTRATIVE AFFAIRS

534 Section 3.10.

535 Department heads.

536 (a) Except as otherwise provided in this charter, the city council by ordinance shall prescribe
537 the functions or duties and establish, abolish, or alter all nonelective offices, positions of
538 employment, departments, and agencies of the city as necessary for the proper administration
539 of the affairs and government of this city.

540 (b) Except as otherwise provided by this charter or by law, the directors of departments and
541 other appointed officers of the city shall be appointed solely on the basis of their respective
542 administrative and professional qualifications.

543 (c) All appointed officers and directors of departments shall receive such compensation as
544 prescribed by ordinance or resolution.

545 (d) The city clerk shall be director or chief of each department or agency. The city clerk
546 shall, subject to the direction and supervision of the city council, be responsible for the
547 administration and direction of the affairs and operations of the departments or agencies.

548 Section 3.11.
549 Boards, commissions, and authorities.

550 (a) The city council shall create by ordinance such boards, commissions, and authorities to
551 fulfill any investigative, quasi-judicial, or quasi-legislative function the city council deems
552 necessary and shall by ordinance establish the composition, period of existence, duties, and
553 powers thereof.

554 (b) All members of boards, commissions, and authorities of the city shall be appointed by
555 the city council for such terms of office and in such manner as shall be provided by
556 ordinance, except where other appointing authority, terms of office, or manner of
557 appointment is prescribed by this charter or by law.

558 (c) The city council, by ordinance, may provide for the compensation and reimbursement
559 for actual and necessary expenses of the members of any board, commission, or authority.

560 (d) Except as otherwise provided by charter or by law, no member of any city board,
561 commission, or authority shall hold any elective office in the city nor shall any such member
562 be a city employee during the tenure of such service.

563 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the
564 unexpired term in the manner prescribed for the original appointment, except as otherwise
565 provided by this charter or by law.

566 (f) No member of a board, commission, or authority shall assume office until he or she has
567 executed and filed with the clerk of the city an oath obligating himself or herself to perform
568 faithfully and impartially the duties of his or her office, such oath to be prescribed by
569 ordinance and administered by the mayor.

570 (g) All members of a board, commission, or authority serve at-will and any member of a
571 board, commission, or authority may be removed from office for cause by a vote of three
572 members of the city council unless otherwise provided by law.

573 (h) Except as otherwise provided by this charter or by law, each board, commission, or
574 authority of the city shall elect one of its members as chairperson and one member as
575 vice-chairperson, and may elect as its secretary one of its own members or may appoint as
576 secretary an employee of the city. Each board, commission, or authority of the city
577 government may establish such bylaws, rules, and regulations, not inconsistent with this
578 charter, ordinances of the city, or law, as it deems appropriate and necessary for the
579 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and
580 regulations shall be filed with the city clerk.

581 Section 3.12.

582 City attorney.

583 The city council shall appoint a city attorney, together with such assistant city attorneys as
584 may be authorized, and shall provide for the payment of such attorney or attorneys for
585 services rendered to the city. The city attorney shall be responsible for providing for the
586 representation and defense of the city in all litigation in which the city is a party; may be the
587 prosecuting officer in the municipal court; shall attend the meetings of the council as
588 directed; shall advise the city council, mayor, and other officers and employees of the city
589 concerning legal aspects of the city's affairs; and shall perform such other duties as may be
590 required by virtue of the person's position as city attorney.

591 Section 3.13.

592 City clerk.

593 The city council shall appoint a city clerk who shall not be a councilmember. The city
594 clerk shall be custodian of the official city seal, maintain city council records required by
595 this charter, and perform such other duties as may be required by the city council. The city
596 clerk shall also serve as supervisor of all other city employees as specified in Section 3.10.
597 The city clerk shall prepare and submit to the city council a recommended annual operating
598 budget and recommended capital budget. The city clerk may also be known as "the clerk."

599 Section 3.14.

600 Personnel administration.

601 The city clerk shall be responsible for the preparation of a position classification and pay
602 plan which shall be submitted to the city council for approval. Such plan may apply to all
603 employees of the city and any of its agencies, departments, boards, commissions, or
604 authorities. When a pay plan has been adopted, the city council shall not increase or decrease
605 the salary range applicable to any position except by amendment of such pay plan. For
606 purposes of this section, all elected and appointed city officials are not city employees.

607 Section 3.15.

608 Personnel policies.

609 All employees serve at-will and may be removed from office at any time unless otherwise
610 provided by ordinance. All employees shall be informed by the city clerk that they serve
611 at-will at the time of their first employment.

612 ARTICLE IV.
613 JUDICIAL BRANCH

614 Section 4.10.
615 Municipal court.

616 The mayor and city council shall be authorized to establish a city court to be known as the
617 Municipal Court of the City of Woodland, Georgia.

618 Section 4.11.
619 Judges.

- 620 (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,
621 or stand-by judges as shall be provided by ordinance. The method of selection and terms of
622 such judges shall be provided by Chapter 32 of Title 36 of the O.C.G.A., or by ordinance.
- 623 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
624 he or she is a member of the State Bar of Georgia. All judges shall be appointed by the
625 mayor and city council and shall serve until a successor is appointed and qualified.
- 626 (c) Compensation of the judge or judges shall be fixed by ordinance.
- 627 (d) Judges may be removed as provided by general law.
- 628 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
629 will honestly and faithfully discharge the duties of the office to the best of that person's
630 ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of
631 the city council journal.

632 Section 4.12.
633 Convening of court.

634 The municipal court shall be convened at regular intervals as provided by ordinance. The
635 city council may convene, suspend operations, and reconvene the municipal court from time
636 to time.

637 Section 4.13.
638 Powers.

639 (a) The municipal court shall try and punish violations of this charter, all city ordinances,
640 and such other violations as provided by law.

641 (b) The municipal court shall have the authority to punish those in its presence for contempt,
642 provided that such punishment shall not exceed a fine of \$1,000.00 or 180 days in jail, or
643 both.

644 (c) The municipal court may fix punishment for offenses within its jurisdiction not
645 exceeding a fine of \$1,000.00 or imprisonment for 180 days, or both such fine and
646 imprisonment, or may fix punishment by fine, imprisonment, or alternative sentencing as
647 now or hereafter provided by law.

648 (d) The municipal court shall have the authority to establish a schedule of fees to defray the
649 cost of operation and shall be entitled to reimbursement of the actual cost of meals,
650 transportation, and caretaking of prisoners bound over to superior courts for violation of state
651 law.

652 (e) The municipal court shall have authority to establish bail and recognizance to ensure the
653 presence of those charged with violations before said court, and shall have discretionary
654 authority to accept cash or personal or real property as surety for the appearance of persons
655 charged with violations. When any person provides bail for a defendant's appearance and

656 such defendant fails to appear at the time fixed for trial, the bond shall be forfeited by the
657 judge presiding at such time, and an execution issued thereon by serving the defendant and
658 the defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi.
659 In the event that cash or property is accepted in lieu of bond for security for the appearance
660 of a defendant at trial, and if such defendant fails to appear at the time and place fixed for
661 trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the
662 property so deposited shall have a lien against it for the value forfeited which lien shall be
663 enforceable in the same manner and to the same extent as a lien for city property taxes.

664 (f) The municipal court shall have the same authority as superior courts to compel the
665 production of evidence in the possession of any party; to enforce obedience to its orders,
666 judgments, and sentences; and to administer such oaths as necessary.

667 (g) The municipal court may compel the presence of all parties necessary to a proper
668 disposal of each case by the issuance of summonses, subpoenas, and warrants which may be
669 served as executed by any officer as authorized by this charter or by law.

670 (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of
671 persons charged with offenses against any ordinance of the city, and each judge of the
672 municipal court shall have the same authority as a magistrate of the state to issue warrants
673 for offenses against state laws committed within the city.

674 Section 4.14.

675 Certiorari and appeal.

676 The right of certiorari from the decision and judgment of the municipal court shall exist in
677 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
678 the sanction of a judge of the Superior Court of Talbot County under the laws of the State of
679 Georgia regulating the granting and issuance of writs of certiorari.

680 Section 4.15.
681 Rules.

682 With the approval of the mayor and city council, the judge shall have full power and
683 authority to make reasonable rules and regulations necessary and proper to secure the
684 efficient and successful administration of the municipal court; provided, however, that the
685 city council may adopt in part or in total the rules and regulations applicable to superior
686 courts. The rules and regulations made or adopted shall be filed with the court clerk, shall
687 be available for public inspection, and, upon request, shall be furnished to the public for the
688 reasonable cost of copying and printing the same, provided that such copies shall be
689 furnished to all defendants in municipal court proceedings at least 48 hours prior to said
690 proceedings.

691 ARTICLE V.
692 ELECTIONS AND REMOVAL

693 Section 5.10.
694 Applicability of general law.

695 All primaries and elections shall be held and conducted in accordance with Chapter 2 of
696 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

697 Section 5.11.
698 Election of the city council and mayor.

699 (a) There shall be a municipal general election in the odd-numbered years on the Tuesday
700 next following the first Monday in November.

- 701 (b) There shall be elected the mayor and five councilmembers at every regular election
702 thereafter. The councilmember positions shall be designated as Mayor, Council Post 1,
703 Council Post 2, Council Post 3, Council Post 4, and Council Post 5 and shall all be at large.
704 (c) Terms for the mayor and each councilmember shall be for four years.
705 (d) The city council shall appoint a city superintendent of elections pursuant to general law.

706 Section 5.12.
707 Nonpartisan elections.

708 Political parties shall not conduct primaries for city offices and all names of candidates for
709 city offices shall be listed without party designations.

710 Section 5.13.
711 Election by plurality.

712 The person receiving a plurality of the votes cast for any city office shall be elected.

713 Section 5.14.
714 Special elections; vacancies.

715 In the event that the office of mayor or councilmember shall become vacant as provided in
716 Section 2.12, the city council or those remaining shall order a special election to fill the
717 balance of the unexpired term of such official; provided, however, that if such vacancy
718 occurs within 12 months of the expiration of the term of that office, the mayor shall appoint
719 a successor for the remainder of the term. In all other respects, the special election shall be
720 held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia
721 Election Code," as now or hereafter amended.

722 Section 5.15.
723 Other provisions.

724 Except as otherwise provided by this charter, the city council shall by ordinance prescribe
725 such rules and regulations it deems appropriate to fulfill any options and duties under
726 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter
727 amended.

728 Section 5.16.
729 Removal of officers.

730 (a) The mayor, councilmembers, or other appointed officers provided for in this charter shall
731 be removed from office for any one or more of the causes provided in Title 45 of the
732 O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

733 (b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished
734 through the following:

735 (1) After a hearing at which an impartial panel shall render a decision. In the event an
736 elected officer is sought to be removed by the action of the city council, such officer shall
737 be entitled to a written notice specifying the grounds for removal and to a public hearing
738 which shall be held not less than ten days after the service of such written notice. The
739 city council shall provide by ordinance for the manner in which such hearings shall be
740 held. Any elected officer sought to be removed from office as herein provided shall have
741 the right of appeal from the decision of the city council to the Superior Court of Talbot
742 County. Such appeal shall be governed by the same rules as govern appeals to the
743 superior court from the probate court; or

744 (2) By an order of the Superior Court of Talbot County following a hearing on a
745 complaint seeking such removal brought by any resident of the City of Woodland.

746 ARTICLE VI.
747 FINANCE

748 Section 6.10.
749 Property tax.

750 The city council may assess, levy, and collect an ad valorem tax on all real and personal
751 property within the corporate limits of the city that is subject to such taxation by the state and
752 county. This tax is for the purpose of raising revenues to defray the costs of operating the
753 city government, of providing governmental services, for the repayment of principal and
754 interest on general obligations, and for any other public purpose as determined by the city
755 council in its discretion.

756 Section 6.11.
757 Millage rate.

758 The city council by ordinance shall establish a millage rate for the city property tax, a due
759 date, and the time period within which such taxes shall be paid. The city council by
760 ordinance may provide for the payment of such taxes by installments or in one lump sum,
761 as well as authorize the voluntary payment of such taxes prior to the time when due. The city
762 may contract with the Tax Commissioner of Talbot County to prepare municipal tax digests
763 and assess and collect municipal taxes pursuant to general law.

764 Section 6.12.

765 Occupation taxes and business license fees.

766 The city council by ordinance shall have the power to levy such occupation or business taxes
767 as are not denied by law. Such taxes may be levied on both individuals and corporations that
768 transact business in this city or that practice or offer to practice any profession or calling
769 within the city to the extent such persons have a constitutionally sufficient nexus to this city
770 to be so taxed. The city council may classify businesses, occupations, professions, or
771 callings for the purpose of such taxation in any way which may be lawful and, if unpaid, may
772 compel the payment of such taxes as provided in Section 6.18.

773 Section 6.13.

774 Regulatory fees; permits.

775 The city council by ordinance shall have the power to require businesses or practitioners
776 doing business within this city to obtain a permit for such activity from the city and pay a
777 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect
778 the total cost to the city of regulating the activity, and if unpaid, shall be collected as
779 provided in Section 6.18.

780 Section 6.14.

781 Franchises.

782 (a) The city council shall have the power to grant franchises for the use of this city's streets
783 and alleys for the purposes of railroads, street railways, telephone companies, electric
784 companies, electric membership corporations, cable television and other telecommunications
785 companies, gas companies, transportation companies, and other similar organizations. The

786 city council shall determine the duration, terms, whether the same shall be exclusive or
787 nonexclusive, and the consideration for such franchises; provided, however, that no franchise
788 shall be granted for a period in excess of 35 years and no franchise shall be granted unless
789 the city receives just and adequate compensation therefor. The city council shall provide for
790 the registration of all franchises with the city clerk in a registration book kept by the clerk.
791 The city council may provide by ordinance for the registration within a reasonable time of
792 all franchises previously granted.

793 (b) If no franchise agreement is in effect, the city council has the authority to impose a tax
794 on gross receipts for the use of this city's streets and alleys for the purposes of railroads,
795 street railways, telephone companies, electric companies, electric membership corporations,
796 cable television and other telecommunications companies, gas companies, transportation
797 companies, and other similar organizations.

798 Section 6.15.

799 Service fees.

800 The city council by ordinance shall have the power to assess and collect fees, charges,
801 assessments, and tolls for sewers, sanitary, and health services, or any other services
802 provided or made available within and without the corporate limits of the city. If unpaid,
803 such charges shall be collected as provided in Section 6.18.

804 Section 6.16.

805 Special assessments.

806 The city council by ordinance shall have the power to assess and collect the cost of
807 constructing, reconstructing, widening, or improving any public way, street, sidewalk,

808 curbing, gutters, sewers, or other utility mains, and appurtenances from the abutting property
809 owners. If unpaid, such charges shall be collected as provided in Section 6.18.

810 Section 6.17.

811 Other taxes.

812 This city shall be empowered to levy any other tax allowed now or hereafter by law, and the
813 specific mention of any right, power, or authority in this article shall not be construed as
814 limiting in any way the general powers of this city to govern its local affairs.

815 Section 6.18.

816 Collection of delinquent taxes.

817 The city council, by ordinance, may provide generally for the collection of delinquent taxes,
818 fees, or other revenue due the city under Sections 6.10 through 6.17 by whatever reasonable
819 means as are not precluded by law. This shall include providing for the dates when the taxes
820 or fees are due, late penalties or interest, issuance and execution of fi.fas., creation and
821 priority of liens, making delinquent taxes and fees personal debts of the persons required to
822 pay the taxes or fees imposed, revoking city permits for failure to pay any city taxes or fees,
823 and providing for the assignment or transfer of tax executions.

824 Section 6.19.

825 General obligation bonds.

826 The city council shall have the power to issue bonds for the purpose of raising revenue to
827 carry out any project, program, or venture authorized under this charter or the laws of the

828 State of Georgia. Such bonding authority shall be exercised in accordance with the laws
829 governing bond issuance by municipalities in effect at the time said issue is undertaken.

830 Section 6.20.

831 Revenue bonds.

832 Revenue bonds may be issued by the city council as state law now or hereafter provides.
833 Such bonds are to be paid out of any revenue produced by the project, program, or venture
834 for which they were issued.

835 Section 6.21.

836 Short-term loans.

837 The city may obtain short-term loans and must repay such loans not later than December 31
838 of each year, unless otherwise provided by law.

839 Section 6.22.

840 Lease-purchase contracts.

841 The city may enter into multiyear lease, purchase, or lease-purchase contracts for the
842 acquisition of goods, materials, real and personal property, services, and supplies, provided
843 that the contract terminates without further obligation on the part of the municipality at the
844 close of the calendar year in which it was executed and at the close of each succeeding
845 calendar year for which it may be renewed. Contracts must be executed in accordance with
846 the requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws
847 as are or may hereafter be enacted.

848 Section 6.23.

849 Preparation of budgets; fiscal year.

850 The city council shall provide an ordinance on the procedures and requirements for the
851 preparation and execution of an annual operating budget, a capital improvement plan and a
852 capital budget, including requirements as to the scope, content and form of such budgets and
853 plans. The city council shall set the fiscal year by ordinance. This fiscal year shall constitute
854 the budget year and the year for financial accounting and reporting of each and every office,
855 department, agency, and activity of the city government.

856 Section 6.24.

857 Submission of operating budget to city council.

858 On or before a date fixed by the city council but not later than one day prior to the beginning
859 of each fiscal year, the city clerk shall submit to the city council a proposed operating budget
860 for the ensuing fiscal year. The budget shall be accompanied by a message from the city
861 clerk containing a statement of the general fiscal policies of the city, the important features
862 of the budget, explanations of major changes recommended for the next fiscal year, a general
863 summary of the budget, and such other pertinent comments and information. The operating
864 budget and the capital budget hereinafter provided for, the budget message, and all
865 supporting documents shall be filed in the office of the city clerk and shall be open to public
866 inspection.

867 Section 6.25.

868 Action by city council on budget.

869 (a) The city council may amend the operating budget proposed by the city clerk; provided,
870 however, that the budget as finally amended and adopted must provide for all expenditures
871 required by state law or by other provisions of this charter and for all debt service
872 requirements for the ensuing fiscal year, and the total appropriations from any fund shall
873 not exceed the estimated fund balance, reserves, and revenues.

874 (b) The city council by ordinance shall adopt the final operating budget for the ensuing
875 fiscal year not later than December 31 of each year. If the city council fails to adopt the
876 budget by this date, the amounts appropriated for operation for the current fiscal year shall
877 be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items
878 prorated accordingly until such time as the city council adopts a budget for the ensuing
879 fiscal year. Adoption of the budget shall take the form of an appropriations ordinance
880 setting out the estimated revenues in detail by sources and making appropriations according
881 to fund and by organizational unit, purpose, or activity as set out in the budget preparation
882 ordinance adopted pursuant to Section 6.23.

883 (c) The amount set out in the adopted operating budget for each organizational unit shall
884 constitute the annual appropriation for such, and no expenditure shall be made or
885 encumbrance created in excess of the otherwise unencumbered balance of the appropriations
886 or allotment thereof, to which it is chargeable.

887 Section 6.26.

888 Tax levies.

889 The city council shall by ordinance levy such taxes as are necessary. The taxes and tax rates
890 set by such ordinances shall be such that reasonable estimates of revenues from such levy

914 been accomplished or abandoned; provided, however, that the mayor may submit
915 amendments to the capital budget at any time during the fiscal year, accompanied by
916 recommendations. Any such amendments to the capital budget shall become effective only
917 upon adoption by ordinance.

918 Section 6.29.

919 Independent audit.

920 There shall be an annual independent audit of all city accounts, funds, and financial
921 transactions by a certified public accountant selected by the city council. The audit shall be
922 conducted according to generally accepted accounting principles. Any audit of any funds by
923 the state or federal governments may be accepted as satisfying the requirements of this
924 charter. Copies of annual audit reports shall be available at printing costs to the public.

925 Section 6.30.

926 Contracting procedures.

927 No contract with the city shall be binding on the city unless:

928 (1) It is in writing;

929 (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter of
930 course, is signed by the city attorney to indicate such drafting or review; and

931 (3) It is made or authorized by the city council and such approval is entered in the
932 minutes of the city council journal.

933 Section 6.31.

934 Centralized purchasing.

935 The city council shall by ordinance prescribe procedures for a system of centralized
936 purchasing for the city.

937 Section 6.32.

938 Sale and lease of city property.

939 (a) The city council may sell and convey or lease any real or personal property owned or
940 held by the city for governmental or other purposes as now or hereafter provided by law.

941 (b) The city council may quitclaim any rights it may have in property not needed for public
942 purposes upon report by the mayor and adoption of a resolution, both finding that the
943 property is not needed for public or other purposes and that the interest of the city has no
944 readily ascertainable monetary value.

945 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place
946 of the city, a small parcel or tract of land is cut off or separated by such work from a larger
947 tract or boundary of land owned by the city, the city council may authorize the mayor to sell
948 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining
949 property owner or owners when such sale and conveyance facilitates the enjoyment of the
950 highest and best use of the abutting owner's property. Included in the sales contract shall be
951 a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting
952 property owner shall be notified of the availability of the property and be given the
953 opportunity to purchase said property under such terms and conditions as set out by
954 ordinance. All deeds and conveyances heretofore and hereafter so executed and delivered
955 shall convey all title and interest the city has in such property, notwithstanding the fact that
956 no public sale after advertisement was or is hereafter made.

957 ARTICLE VII.
958 GENERAL PROVISIONS

959 Section 7.10.
960 Bonds for officials.

961 The officers and employees of this city, both elected and appointed, shall execute such surety
962 or fidelity bonds in such amounts and upon such terms and conditions as the city council
963 shall from time to time require by ordinance or as may be provided by law.

964 Section 7.11.
965 Prior ordinances.

966 All ordinances, resolutions, rules, and regulations now in force in the city not inconsistent
967 with this charter are declared valid and of full effect and force until amended or repealed by
968 the city council.

969 Section 7.12.
970 Existing personnel and officers.

971 Except as specifically provided otherwise by this charter, all personnel and officers of the
972 city and their rights, privileges, and powers shall continue beyond the time this charter takes
973 effect for a period of 90 days before or during which the existing city council may pass a
974 transition ordinance detailing the changes in personnel and appointive officers required or
975 desired and arranging such titles, rights, privileges, and powers as may be required or desired
976 to allow a reasonable transition.

977 Section 7.13.

978 Pending matters.

979 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,
980 contracts, and legal or administrative proceedings shall continue and any such ongoing work
981 or cases shall be completed by such city agencies, personnel, or offices as may be provided
982 by the city council.

983 Section 7.14.

984 Construction.

985 (a) Section captions in this charter are informative only and shall not be considered as a part
986 thereof.

987 (b) The word "shall" is mandatory and the word "may" is permissive.

988 (c) The singular shall include the plural, the masculine shall include the feminine, and vice
989 versa.

990 Section 7.15.

991 Severability.

992 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be
993 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect
994 or impair other parts of this charter unless it clearly appears that such other parts are wholly
995 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the
996 legislative intent in enacting this charter that each article, section, subsection, paragraph,
997 sentence, or part thereof be enacted separately and independent of each other.

998 Section 7.16.

999 Effective date.

1000 This Act shall become effective on July 1, 2022.

1001 Section 7.17.

1002 Specific repealer.

1003 An Act to incorporate the town of Woodland, in the county of Talbot, and to grant certain
1004 powers and privileges to said town and for other purposes, approved July 30, 1908
1005 (Ga. L. 1908, p. 988) is repealed in its entirety and all amendatory Acts thereto are likewise
1006 repealed in their entirety.

1007 Section 7.18.

1008 General repealer.

1009 All laws and parts of laws in conflict with this Act are repealed.